

May 8, 2008

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

08 MAY 14 PM 12:34

**Request for Modifying the Conditions of Pretrial Release**

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIAMB  
DEPUTY

**Name of Defendant:** RIOS, XAVIER LOREN

**Dkt No.:** '08CR1322-002

**Reg. No.:** 08137-298

**Name of Judicial Officer:** The Honorable John A. Houston, U.S. District Judge

**Date Conditions Were Ordered:** April 11, 2008

**Conditions of Release:** a travel restriction to the State of California; report for supervision to Pretrial Services; not possess or use any narcotic drug or other controlled substance without a valid medical prescription; do not possess any dangerous weapon or explosive device; not to possess any firearm, dangerous weapon or destructive device during the pendency of the case; provide a current residence address and phone number prior to release and keep it current while the case is pending; be able to legally remain in the U.S. during pendency of the proceedings.

**Date Released on Bond:** April 29, 2008

**Charged Offense:** 8 USC § 1324(a)(2)(B)(iii) and 18 USC § 2: Bringing in Illegal Aliens Without Presentation and Aiding and Abetting.

**Next Court Hearing:** Change of Plea Hearing on May 13, 2008, at 9:00 a.m, before Judge Ruben B. Brooks.

**AUSA:** Mark Conover

**Defense Counsel:** Robert Carriedo

**Prior Violation History:** None.

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**PETITIONING THE COURT**

**TO MODIFY THE CONDITIONS OF SUPERVISION AS FOLLOWS:**

PRAYING THE COURT WILL ORDER THE DEFENDANT TO SUBMIT TO TREATMENT, AND/OR TESTING, AS SPECIFIED BY THE THE PRETRIAL SERVICES OFFICER FOR DRUGS OR ALCOHOL.

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During the defendant's post release interview with our office, the defendant indicated, prior to his arrest on this case, he had been using marijuana daily for about one year.

The undersigned has attempted to contact the defendant's attorney regarding this issue, however, he has not responded to a voicemail message. The defendant, as well as his sureties, Victor Perez and Miguel Quiroz, reported to Pretrial Services they do not oppose the modification. The AUSA in this case also indicated he has no objection to the proposed modification.

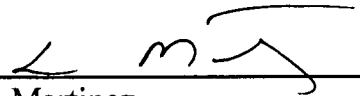
**I declare under penalty of perjury that the foregoing is true and correct.**

**Executed on: May 8, 2008**

Respectfully submitted:

Reviewed and approved:

by

  
Luis Martinez  
United States Pretrial Services Officer  
(619) 557-7208




Charlene Delgado  
Supervising U.S. Pretrial Services Officer

Attachments

**THE COURT ORDERS:**

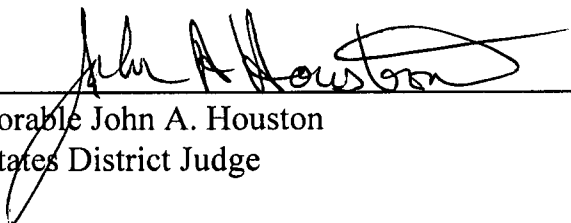
\_\_\_\_\_ Refer to Magistrate Judge Ruben B. Brooks for consideration.

 \_\_\_\_\_ **Agree. Modify the defendant's conditions of release to include drug / alcohol testing and / or treatment.**

\_\_\_\_\_ Disagree. Schedule a Bail Review hearing to discuss the addition of drug / alcohol testing and / or treatment to the defendant's conditions of release.

\_\_\_\_\_ Disagree. Bond conditions to remain as set.

\_\_\_\_\_ Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
The Honorable John A. Houston  
United States District Judge

5-12-08  
\_\_\_\_\_  
Date